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VOL. LXXIX, No. 15. WEATHER TODAY—Generally fair. SALT LAKE CITY, UTAH, THURSDAY MORNING, APRIL 29, 1909. 14 PAGES—FIVE CENTS.

FORMER SULTAN IS KEPT A PRISONER

Will Have No Trial, Because He Is Regarded as Above the Law.

CONSTITUTIONALISTS AFTER HIS HIDDEN TREASURE

Speculation Places Wealth of Abdul Hamid at Anything Up to \$200,000,000.

CONSTANTINOPLE, April 28.—The former ruler of the empire, Abdul Hamid, will be kept a prisoner in a large house with walled grounds on a height overlooking Saloniki. It was learned tonight. He is not to be put on trial, as has been widely reported in Constantinople, for he is considered above the law.

It was thought wise to keep the deposed sultan in European Turkey, remote from the capital. His household will be administered upon a generous scale and his life will be safeguarded as he earnestly sought when notified of his dethronement.

Abdul Hamid, with four wives, five daughters and two of his younger sons, two eunuchs and a comparatively large number of female servants, was taken from the Yildiz palace last night and started under an escort to Saloniki.

After Great Treasure.

The Constitutionalists want to get the great sum of money that the former sultan is supposed to have abroad, not only because the government needs it, but because it is desirable that he should be deprived of the resources of another coup d'etat. Speculation places Abdul Hamid's wealth at anything between \$25,000,000 and \$200,000,000.

It was mentioned with pleasure today at the palace of Mohammed V that the American ambassador was the first of the foreign representatives to congratulate him on his elevation to the newly proclaimed sultan. The sultan sent his compliments and thanks to Mr. Leishman.

The city was illuminated tonight and general rejoicing continued.

More Executions.

Although this was a holiday, court-martials were held and several of the principals in the mutiny of the troops were condemned to death. Later they were taken outside the walls of the city and shot. Prince Sabah Ed-Dine, the nephew of the sultan, who was arrested on suspicion of being implicated in the mutiny, has been liberated, and his release has caused a good impression.

The Fetva, or official decision of the Shari'ah, authorizing the deposition of Abdul Hamid, has been made public. It embraces the questions put by parliament to the Sheikh-ul-Islam and his answer thereto. The text of the proclamation follows:

Stinging Accusations.

"What becomes of an imam (the title of the sultan of Turkey as head of the Orthodox faith), who has destroyed certain holy writings, who has seized property in contravention to the short laws, who has committed cruelties in ordering the assassination and imprisonment of exiles without any justification under the laws, who has quarreled with the public money, who has sworn to govern according to the shari'ah, has violated his oath; who, by gifts of money, has provoked internecine bloodshed and civil war, and who no longer is recognized in the province?"

To these the Sheikh-ul-Islam has replied:

"He must be abdicated or deposed."

No one of the Constantinople newspapers has a good word for Abdul Hamid, whose life and reign are being held up to universal execration. On the other hand, the accession of Mohammed V is regarded as the dawn of a new era. In order to enable the public to indulge in rejoicings, there has been ordered a temporary suspension of the state of siege until 10 o'clock tonight. The city will be illuminated, but fireworks have been prohibited. The cabinet has been requested to remain in office for some days longer.

Taft Recognizes Turkey's New Ruler

WASHINGTON, April 28.—Mohammed V, the new sultan of Turkey, was today officially recognized as the reigning ruler of that empire by the Washington government. This action followed official announcement of the accession of the new ruler by the Turkish ambassador. A dispatch according recognition signed by President Taft was forwarded to Constantinople tonight. It follows:

"I offer to your imperial majesty my congratulations on your accession to the throne with such universal acclaim, voiced by the people's representatives and at a time so propitious to the higher aspirations of the great nation over which you rule as the august head of a constitutional government. I assure you of the friendship of the United States, who earnestly wish for your majesty's happiness and for that of the people within your dominions, and I add an earnest wish for your majesty's health and welfare."

A favorable impression has been created in Washington by the remarks attributed to the sultan in his public utterances.

From the American standpoint the permanent improvement in the conditions in Asia Minor and other portions of Turkey, where massacres of Armenians occur, is the most important duty confronting the new government. Means to meet the situation in Asia Minor, the state department is arranging to put to the best use the American vessels now gradually approaching Gibraltar.

They include the armored cruisers North Carolina and Montana and the revenue cutter Takoma.

It is the intention to send the cruiser New York to eastern Mediterranean waters about the middle of next month.

ALLEGED BAD COIN MAKERS CAPTURED

Four Arrests at Marysville, Cal., May Break Up Gang of Counterfeiters.

ACCUSED MEN CAUGHT WITH GOODS ON THEM

Large Sums of Bogus Money and Extensive Plant Discovered by the Officers.

MARYSVILLE, Cal., April 28.—The police here have arrested Tom Crow, W. A. Wakefield and Fred Foster, members of an alleged band of counterfeiters, who for three months are asserted to have been manufacturing bogus money in a private residence in the fashionable district of this city, and a fourth man, whose name is not given. The men have been shadowed for weeks by officers, who arrested one last night on a minor charge, and found his pockets full of counterfeit coin. The officials then went to the Crow house, where they were met by Crow, who was armed with a revolver. He was compelled to drop the weapon and was placed under arrest, but not before he had thrown out of the window a bag containing more than \$700 in bad money. The residence was then searched and a counterfeit plant, the most extensive ever seen in this section, was found.

Wakefield was arrested without trouble, but Foster, who was found at his home, drew a knife on the officers before he was taken into custody. All three men are well known here, two of them having families.

The police assert that Crow, the alleged ringleader of the gang, made regular trips to Sacramento with bogus money. Some one in Sacramento put the coin into circulation.

BRANDENBERG LOSES FIGHT FOR STEERSON

SAN FRANCISCO, April 28.—The seven-year-old boy, James S. Cabanne III, who was snatched out of St. Louis in a wicker basket and brought to this city by Brighton Brandenberg, his stepfather, who is being held by the police to await the action of the New York authorities, in connection with a charge of grand larceny, growing out of the sale of a letter purporting to have been written by Grover Cleveland, was taken from the juvenile detention home today and given to his father, James Shepley Cabanne, of St. Louis, who arrived on a morning train.

Mr. Cabanne expects to return here with his son this evening and does not anticipate that his departure will be delayed by habeas corpus proceedings, which there had been some talk previous to his arrival here.

Before going to the detention home, Cabanne, accompanied by Captain J. Detlevs Anderson, had an interview with Brandenberg, who is in the custody of the police. The latter wished Cabanne to place the boy in the custody of his mother, but the request was refused, the father saying that Brandenberg had caused his domestic trouble and had no right to dictate the disposal of the child.

INSANITY IS ONLY DEFENSE OF HAINS

FLUSHING, N. Y., April 28.—General Hains, the defendant's father, will be the first witness called tomorrow when the defense begins its attempt to establish the insanity of Captain Peter O. Hains, Jr., the young army officer, who shot and killed William E. Amis at the Bayside Yacht club last August.

When court adjourned today former District Attorney Young had completed his opening address for the defense, while previously the prosecution had rested its case.

General Hains will be followed by Major Hains, the captain's brother, and then by thirty witnesses, who will testify concerning Captain Hains's mental state following the revelation of his wife's alleged infidelity and her association with Amis.

"WETS" WIN EXCITING ELECTION IN OHIO

CHILLICOTHE, O., April 28.—In a local option election characterized by disorderly scenes, at times bordering on rioting, Ross county today voted "wet" by a majority of approximately 1800. Mayor Yapple and the city administration led the "wet" forces.

CHAMPION SWIMMER TO WED RICH WIDOW

NEW YORK, April 28.—The engagement of Charles M. Daniels, the champion swimmer, to marry Mrs. G. O. Wagner, daughter of the late F. O. Goodyear, of Buffalo, has been announced here.

Mrs. Wagner, who inherited a fortune at the death of her father, who was president of the Buffalo & Susquehanna Railroad company.

TWO POLYGAMOUS RULERS



Jos. F.—"Nothing like that in Utah, though."

MILLIONS OF ACRES OPEN FOR HOMESTEADS

Much Land Held by Individuals Under Color of Title Designated.

WASHINGTON, April 28.—Approximately 157,476,800 acres of land in the various western states to which the 320-acre homestead bill applies have been designated by Secretary of the Interior Ballinger as coming within the provisions of the act. The area of land designated in each of the states is as follows:

Oregon, 7,004,160; Washington, 3,376,960; Utah, 7,044,480; Wyoming, 9,223,760; New Mexico, 14,334,560; Nevada, 29,512,960; Arizona, 26,657,280; Colorado, 29,160,000; and Montana, 19,661,640.

It was stated at the department today that approximately 40 per cent of the area designated except in Nevada is now held by individuals through "some color of title" and it is believed that a larger percentage in Washington and Oregon are so held. Were all of the lands designated suitable for entry there would be about 492,000 homesteads. The lands in question are not susceptible of irrigation from any known source of water supply. The regulations under which entries for these lands are to be made recently were approved.

Diagrams showing the lands subject to entry will be furnished the local land offices as soon as possible and applications to enter will then be received.

ATTORNEY ASKS JURORS TO REMEMBER GOD

ADA, Okla., April 28.—As a result of the lynching of four cattlemen here for the murder of A. A. Bobbitt, further trouble may arise. Oscar Feeler, alleged accessory to the crime, and Edward David Johnson, charged with another murder, have been returned to the jail at Tucumseh for safe keeping.

The grand jury today resumed its investigation. Attorney-General West, addressing the jury, said: "The lynching was the most outrageous crime since the civil war in the southwest."

"Remember your God," he added, "let Him be your guide in your actions in the investigating of the lynching."

DENVER AUDITORIUM TO BE MADE THEATER

DENVER, Colo., April 28.—The Democratic national convention was held last night, will be used this season for the production of a number of the Schubert theatrical attractions. Jacob Schubert made this announcement today after a conference with the city authorities, in which Schubert tried unsuccessfully to secure an indefinite lease on the building. Schubert left here tonight for Kansas City.

WILLING TO TRY FOR MESSAGE FROM MARS

FORE WORTH, Tex., April 28.—A message received here today from Robert W. Wood, professor of astronomy of Johns Hopkins university, agrees to the establishment of an observatory at Stanford, west Texas, which will be used in an effort to communicate with the planet Mars.

Must Face Trial.

CINCINNATI, April 28.—Judge Thompson in the United States district court today refused to grant a further continuance to the defense in the bucket boy case and Lewis W. Foster, John E. Gorman, Walter J. Campbell, John I. Scott, Arthur C. Baldwin and Edwin Hill, all indicted on the charge of using the mails to further a scheme to defraud, went to trial.

Large Toy Factories Burn.

PARIS, April 28.—Several toy factories at Montreuil-Sous-Bois, near Paris, were destroyed by fire today. Two men were injured. Loss, \$40,000.

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BOYLE WOULD PLACE ALL ON THE WOMAN

In Preparing Defense Denies Correspondence With Father of Willie Whittle.

MERCER, Pa., April 28.—James H. Boyle, awaiting trial on the charge of kidnapping Willie Whittle, expects, to prove that he was in Youngstown, and not in Sharon, as the prosecution will try to prove, on the evening before the abduction and that he left Youngstown the morning of the abduction, going by rail to Warren, O. He will allege that at Warren he accidentally met a couple of his friends, who had the Whittle boy in their charge. He says he was informed by them that smallpox had broken out at Sharon and that they were taking the boy away from the disease. To accommodate them, he says, he agreed to take Willie Whittle to his apartments in Cleveland, but he insists he knew nothing of any correspondence regarding the ransom. If any correspondence was had in regard to it, he says, it must have been conducted by Mrs. Boyle, and he calls attention to the fact that it was she who had the money when they were arrested.

Mrs. Boyle has no defense prepared. She merely denies the state to prove anything against her. She seems satisfied there is no evidence against her and is expecting an acquittal.

NEW ECHO HEARD IN THE WHITTLE KIDNAPING

BOSTON, April 28.—Charged with attempting to extort \$10,000 from James Whittle of Sharon, Pa., under the threat that they would again kidnap his son, Willie Whittle, two men were arrested here yesterday, who gave their names as John W. Wright and Ernest H. Martin.

The police assert that on April 23 Wright and Martin wrote to Mr. Whittle, demanding that he send \$10,000, under penalty of having Willie kidnapped. The letter stated that the writers had a regard for the life of the child and that he would only be a means to accomplish their end of getting from Mr. Whittle the sum named.

WILL GIVE RELIEF TO UTAH HOMESTEADERS

Settlers on the Former Utah Reservation Have Not Been Fairly Treated.

Special to The Tribune.

WASHINGTON, April 28.—In response to an appeal from the homesteaders in the former Utah reservation, Senator Smoot had a conference with the secretary of the interior today and a measure of relief will be given. The homesteaders have had a strenuous time, with restrictions on the use of water, a soil and too few title and severe weather, the homesteaders have had much to complain of. Recently they have had their homesteads "jumped" on one pretext or another. Protests have been filed for trampled up or other flimsy reasons, and many homesteaders despondent or have been forced to leave their homes.

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JAPANESE COMMANDER ENTERTAINS AMERICANS

LOS ANGELES, April 28.—Admiral H. Ichihi, commanding the Japanese training squadron, having decided to extend the stay of his ship at the local port one day longer than originally planned, in order to be able to return a portion of the great number of courtesies shown him and his command since their arrival last Sunday, today received on board his flagship, the cruiser Aso, a large number of the representative men of Los Angeles and their wives. The Japanese admiral sent invitations last night to a large number of prominent citizens to dine with him at 6 o'clock today. Lunch was served in the admiral's cabin and in the ward room. The admiral made a brief address in English to his guests, reiterating his surprise and deep gratification at the extremely cordial welcome extended the Japanese at the first American port which they had visited. The squadron is scheduled to sail at 10 o'clock tomorrow for San Francisco.

OLIVE LOGAN, WELL-KNOWN AMERICAN WOMAN, DIES

LONDON, April 28.—Olive Logan, the American author, actress and lecturer, died in an asylum at Binstead yesterday of heart disease.

Mrs. Logan had been an inmate of this institution since January, when she was placed there by the poor law guardians of Kensington.

Mrs. Logan was born at Elmira, N. Y., April 22, 1839.

END OF ANTHRACITE TROUBLES IN SIGHT

SCRANTON, Pa., April 28.—After weeks of consideration the final stage in settling the differences between the anthracite mine workers and their employers has been reached and tomorrow likely will see the end of the controversy. The tripartite convention of the union miners today unanimously approved the three-years' agreement with the operators. The agreement is yet to be signed.

Place for Salt Laker.

Special to The Tribune.

WASHINGTON, April 28.—Daniel Hicks of Salt Lake was today appointed messenger in the pension office.

LUMBER SCHEDULE MUCH DISCUSSED

Feature of Senate Session Is Speech by Mr. Simmons of North Carolina.

SOUTHERNER ADVOCATES RETENTION OF TARIFF

Attempts to Inject Declarations of Last Democratic Platform Prove Futile.

WASHINGTON, April 28.—An exhaustive treatment of the lumber schedule of the tariff bill by Mr. Simmons of North Carolina was the feature of the session of the senate today.

Mr. Simmons advocated the retention of the present tariff, which, he maintained, was but a revenue rate. Several times the national Democratic platform of 1908, which declared for free lumber, was injected into the discussion by Republican senators, and Mr. Bacon of Georgia remarked that he was not bound by declarations written into a platform at midnight by a few interested men.

Mr. Burkett of Nebraska, whose home city is Lincoln, sought to state where the Democratic platform actually was drawn, but Mr. Simmons refused to yield time to prolong the discussion.

Mr. Brown of Nebraska advocated a constitutional amendment for the collection of an income tax.

When the discussion of the tariff was resumed in the senate today, Mr. Brown of Nebraska spoke to his colleagues, recently introduced providing for a constitutional amendment authorizing an income tax. He argued that the people of the several states should have the opportunity of voting on the question in order that the validity of such a law never would be questioned. He said government owed it to the people to be given a chance to say whether the constitution should be made to sanction a system of taxation approved by the majority of American citizens and by the economists of the entire civilized world.

"Seems to me," he said, "that the discussion of the last two days in this body, led by the able and eloquent senator from Texas, brings home to every senator the commanding and imperative necessity for the adoption of such an amendment."

Mr. Brown was interrupted by Mr. Rayner of Maryland, who insisted that congress already had the power to lay and collect taxes on incomes and that even were the amendment to be adopted, it still would be necessary to have an appropriation.

Mr. Brown's suggestion was not accepted with any too good a grace by the Nebraska senator, who said that he was not so beside himself as to believe that his resolution would meet the critical judgment of the senate from Maryland.

What Court Might Do.

Mr. Painter of Kentucky interjected that the supreme court of the United States, as now constituted, might change its former opinion, holding an income tax law unconstitutional.

Mr. Brown replied that he was ready to support any bill providing for such a tax.

Mr. Brown's request the resolution was referred to the committee on the judiciary.

Discussing the lumber schedule, Mr. Simmons of North Carolina opposed the proposed reduction of the tariff on lumber, which had constituted a larger element in the cost of producing lumber than in the cost of producing any other manufactured product, and further, that the lumber was a competitor with some of the articles which added to the cost of production.

"How do you square your advocacy of a tariff on lumber with the declaration of the national Democratic platform of 1908?" Mr. Dixon of Montana inquired.

Mr. Simmons asserted that the platform declared for a tariff for revenue and he did not believe the Dingley rate on lumber was more than a revenue rate.

Mr. Simmons denied that lumber prices had been fabulously high and that great fortunes had been made in manufacturing lumber in the United States.

The present crusade against a duty on lumber, Mr. Simmons charged, had been instigated by speculators having interests in Canada.

He maintained that there was no lumber trust.

To those of the senate who were favorable to high rates for duty on the products of the farmer, yet who were advocating free lumber Mr. Simmons declared, as a note of warning, that they were standing in their own light. He asserted that the best purchaser in the south of meats, corn, hay and wheat from the west was the sawmill laborer.

"The \$30,000 men," he said, "feed 2,000,000 mouths and clothe 3,000,000 backs, and if you cheaper lumber duty advocates succeed in enabling the Canadian in driving the southern manufacturers out of their markets, you will do it by paralyzing the purchasing power of your best customers."

Mr. Gallinger declared that New England was in almost an identical position, and that the arguments presented by the North Carolina senator had frequently suggested themselves to him.

The only beneficiaries of reduced or free lumber, Mr. Simmons declared, would be the great rich box manufacturers located along the great lakes.

Starts Some Fireworks.

The Democratic national platform of 1908, which declared for free lumber, again was thrust at Mr. Simmons, this time by Mr. Burkett, and incidentally he stirred up a hornet's nest, because of an interruption by Mr. Heyburn, who suggested that he go slow in that matter, inasmuch as "senators on that side," meaning the Democratic side, were supporting the lumber plank of the Republican platform.

Mr. Rayner took violent exception to Mr. Heyburn's reference to "senators on that side."

"Does not the senate expect that a

Continued on Page Two.

MERGER HEARING FULL OF INTEREST

Stephen H. Love, Z. C. M. I. Traffic Manager, Important Witness.

TELLS OF PASSAGE OF LAW BY LEGISLATURE

He Also Goes Into Freight Rate Discrimination Against Salt Lake.

The continuation of the hearing of the suit brought by the United States against the Harriman system and others began Wednesday morning at 11 o'clock before Special Examiner Sylvester G. Williams in the circuit court.

The first witness called by the government was Stephen H. Love, traffic manager for Z. C. M. I., whose testimony caused somewhat of a sensation. Mr. Love's testimony tended to show that the rate on certain commodities in carload lots from New York City to Portland, Or., was \$1.50 per hundred, plus a local rate to Huntington, which is about half way between Portland and Salt Lake, of \$1.10, making a total of \$2.60 per hundredweight from the Atlantic seaboard to Huntington, Or.

If the freight were shipped from the same point in the east to Salt Lake City, a rate of \$3.14 per hundredweight would be charged, plus a local rate to Huntington of \$1.50, making the total rate \$4.64 per hundredweight. This made the merchant of Salt Lake City pay \$1.74 per hundredweight more than the Portland merchant would pay for the same weight and class of goods shipped to Portland.

Mr. Love gave other figures based upon actual tariff tables, which were quite as astonishing to the spectators in the courtroom. The entire forenoon was taken up by the testimony of Mr. Love, who appeared perfectly self-possessed while on the stand and withstood the searching cross-examination of Judge Lovett, chief counsel for the Harriman system, seemingly without the slightest embarrassment.

During 1901 Mr. Love was a member of the senate, and he testified to the methods and the legislation which were really the means whereby the railroads were enabled to effect the present alleged combination. The name of T. C. Gibbons, an attorney of Los Angeles, was continually before the court, and his methods of railroad lobbying were gone into and discussed at length. Mr. Gibbons was at that time connected with the Clark road and held many conferences with parties opposed to the passage of the bill providing for the granting of Pioneer square to the Clark road for terminal purposes.

Talked to Pierce.

Mr. Love also testified to having been approached by Winslow S. Pierce on the matter of legislation for the Union Pacific, who, under the name of good things for the people of Salt Lake City, in the event of the passage of certain laws relative to the railroads, Mr. Love said that the speed with which the legislation was enacted was, to say the least, unusual, and that it only required four days to draft the bill and have it signed by the governor.

Mr. Love declared that the present rates were very much against the Salt Lake jobber and very much in favor of Portland, Los Angeles and San Francisco jobbers. Upon being questioned by C. A. Severance, the attorney for the government, Mr. Love stated that taking the tariff rates of five railroads as a basis, he had found that within a radius of 200 miles of Salt Lake the rates were 50 per cent higher, a discrimination against the Salt Lake merchant.

The first witness to be examined in the afternoon was Joseph West, a civil engineer of Ogden, who had been in the railroad building business since 1880. His testimony was in regard to the Utah Pacific, which was built by David Eccles and associates, from Milford into Nevada, and was finally bought by the Oregon Short Line.

Mr. Love was then recalled by the government for the purpose of submitting certain figures in regard to the rates of the railroads that were at the present time handling freight out of and into Salt Lake.

Session Judge Lovett then asked Mr. Love if the radius of 200 miles had not been unfair to the railroads in figuring out the present tariff rates, and asked for a tabulated account with 100 miles as the radius.

Mr. Love's answer, after the tabulated account in the afternoon showed the same discrimination with a radius of 100 miles as the basis. He stated that in making the comparison he had taken the Union Pacific, the Southern Pacific, the Salt Lake Route, the Oregon Short Line and the Denver & Rio Grande, and that he had used the latest tariffs published.

According to Mr. Love, prior to 1901, the Southern Pacific and the Union Pacific had solicited for business in Salt Lake, and the competition was very keen between these two roads.

Kenneth Kerr Called.

When Kenneth Kerr, district passenger agent for the Salt Lake Route, was called, the attorneys for the government brought into the court the files of The Tribune during the years of 1900 and 1901, which procedure created a stir of awakening interest on the part of the spectators and the attorneys for the railroads. Mr. Kerr testified that for about fourteen years he had been the railroad editor of The Tribune and had met Mr. Gibbons during September of 1900. Senator Clark he had known since 1890 and J. Ross Clark since 1900.

When Attorney Severance, for the government, asked Mr. Kerr if he had written certain articles that appeared in The Tribune during the years of 1900 and 1901, said to be interviews, with certain railroad men, he answered yes, and when further questioned regarding the truth of the articles he stated that they were truthful to the best of his knowledge and belief. At this point, Judge Lovett said that in regarding the truthfulness of newspaper men, some allowance must be made for